

**DECLARATION OF STEPHEN SEGALLER IN SUPPORT OF
PLAINTIFFS' OPPOSITION TO AEREO'S SUMMARY JUDGMENT MOTION**

I, Stephen Segaller, declare as follows:

1. I am vice president of Programming for WNET, the parent company of THIRTEEN. THIRTEEN is a producer of television programming and content. THIRTEEN is a member of and produces programs for the Public Broadcasting Service ("PBS") network and WNET distributes broadcasts through a total of seven channels, including THIRTEEN in New York. I have primary responsibility for overseeing all of the people who produce programs for THIRTEEN and WNET's other production entities, WLIW L.L.C., Creative News Group, LLC and Public Media NJ, Inc. I also play a central role in negotiations with many different individuals to ensure that the resources are in place for programs produced by THIRTEEN and for WNET.

2. WNET and THIRTEEN are NY Regents-chartered corporations and publicly supported charities that receive their operating funds primarily from three sources: (1) small donations from individuals; (2) gifts from wealthy individuals; (3) and grants from foundations, federal entities, and corporations.

3. THIRTEEN and WNET's other production entities produce, own, and distribute a number of programs including, but not limited to, educational programming that is broadcast on primetime television (the "WNET Programs"). WNET's stations, such as THIRTEEN in New York, also broadcast original dramas and educational programming distributed by PBS. These programs include, but are not limited to, to *Downton Abbey* and *PBS Kids*.

4. WNET and THIRTEEN have applied for and obtained copyright registrations for a number of WNET Programs that have aired on WNET's stations, including THIRTEEN, since

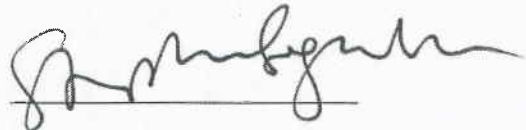
Aereo launched its television streaming service. A non-exhaustive episode list identifying representative samples of WNET Programs and the relevant copyright registration numbers, along with copies of the registration certificates, are attached as **Exhibit A**

5. The WNET Programs are broadcast on WNET's seven stations, including THIRTEEN in New York City. WNET and THIRTEEN also make full episodes and clips of many of the WNET Programs available to consumers via their websites www.wnet.org and www.thirteen.org on a streaming basis. This allows viewers to watch many WNET Programs, any time, from any computer with high speed Internet access. The WNET and Thirteen websites have existed for a number of years, and visitors to these websites have the option of donating to WNET and THIRTEEN. THIRTEEN also makes full episodes and clips of many of the WNET Programs available to consumers via their iPad app, THIRTEEN Explore, on a streaming basis. THIRTEEN Explore users have the option of donating to WNET and THIRTEEN as well.

6. WNET and THIRTEEN have never authorized Aereo to copy, retransmit, or otherwise exploit the WNET Programs in any way whatsoever. WNET and THIRTEEN have never, and would never, license a third party the right to copy the WNET Programs in aid of an unlicensed, unauthorized service that streams WNET Programs over the Internet.

I declare under penalty of perjury under the laws of New York and the United States that the foregoing is true and correct.

Executed this 6 day of June, 2013 at New York, NY.

A handwritten signature in dark ink, appearing to read 'Stephen Segaller', written over a horizontal line.

Stephen Segaller

Exhibit A

Illustrative Copyright Registrations

No.	Program Title	Broadcast Date	Copyright Owner	Registration	Broadcast Station
1.	NATURE: Dogs That Changed The World: Part 1	03/21/12	WNET/Educational Broadcasting Corporation	PA-1-743-542	WNET
2.	NATURE: Dogs That Changed The World: Part 2	03/21/12	WNET/Educational Broadcasting Corporation	PA-1-743-513	WNET
3.	NATURE: Cuba: The Accidental Eden	03/20/12	WNET/Educational Broadcasting Corporation	PA-3-562-583	WNET
4.	CYBERCHASE: Gone With The Fog	03/19/12	WNET/Educational Broadcasting Corporation	PAu-3-564-336	WNET

Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, *United States Code*, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Maria A. Pallante

Register of Copyrights, United States of America

Registration Number
PA 1-743-542

**Effective date of
registration:**
October 18, 2010

Title

Title of Work: NATURE: Dogs That Changed The World: Part 1

Completion/Publication

Year of Completion: 2007

Date of 1st Publication: April 22, 2007

Nation of 1st Publication: United States

Author

▪ **Author:** Educational Broadcasting Corporation

Author Created: Entire motion picture excluding licensed third party material

Work made for hire: Yes

Citizen of: United States

Domiciled in: United States

Copyright claimant

Copyright Claimant: Educational Broadcasting Corporation

450 West 33rd Street, 6th Floor, New York, NY, 10001

Rights and Permissions

Organization Name: Educational Broadcasting Corporation

Address: 450 West 33rd Street

New York, NY 10001 United States

Certification

Name: Matthew Clark

Date: September 27, 2010

Certificate of Registration



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Maria A. Pallante

Register of Copyrights, United States of America

Registration Number
PA 1-743-513

**Effective date of
registration:**
October 18, 2010

Title

Title of Work: NATURE: Dogs That Changed The World: Part 2

Completion/Publication

Year of Completion: 2007

Date of 1st Publication: April 29, 2007

Nation of 1st Publication: United States

Author

Author: Educational Broadcasting Corporation

Author Created: Entire motion picture excluding licensed third party material

Work made for hire: Yes

Citizen of: United States

Domiciled in: United States

Copyright claimant

Copyright Claimant: Educational Broadcasting Corporation

450 West 33rd Street, 6th Floor, New York, NY, 10001

Rights and Permissions

Organization Name: Educational Broadcasting Corporation

Address: 450 West 33rd Street

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Name: Matthew Clark

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Maria A. Pallante

Register of Copyrights, United States of America

Registration Number
PAu 3-562-583

**Effective date of
registration:**

October 18, 2010

Title

Title of Work: NATURE: Cuba: The Accidental Eden

Completion/Publication

Year of Completion: 2010

Author

* **Author:** Educational Broadcasting Corporation

Author Created: Entire motion picture excluding licensed third party material

Work made for hire: Yes

Citizen of: United States

Domiciled in: United States

Copyright claimant

Copyright Claimant: Educational Broadcasting Corporation

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Maria A. Pallante

Register of Copyrights, United States of America

Registration Number
PAu 3-564-336

Effective date of
registration:
October 18, 2010

Title _____

Title of Work: CYBERCHASE: Gone With The Fog

Completion/Publication _____

Year of Completion: 2009

Author _____

▪ Author: Educational Broadcasting Corporation

Author Created: Entire motion picture excluding licensed third party material

Work made for hire: Yes

Citizen of: United States

Domiciled in: United States

Copyright claimant _____

Copyright Claimant: Educational Broadcasting Corporation

450 West 33rd Street, 6th Floor, New York, NY, 10001

Rights and Permissions _____

Organization Name: Educational Broadcasting Corporation

Address: 450 West 33rd Street

New York, NY 10001 United States

Certification _____

Name: Matthew Clark

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